

POUR
HONOR,

23-10766

2016 was a dark year for me personally. My wife passed away on 4/24/2016. We were technically still married as we did not finalize the divorce process as she passed away very quickly from cancer. It was sad because Danielle wouldn't allow me to even process the death with any emotions. We were in Eugene Oregon together visiting my son, and she looked at me and said 'you are not going to cry are you'? Unfortunately, I started using drugs and alcohol to suppress my emotions. This was the beginning of erratic behavior that no longer has a place in my heart or my life.

First of all, I was improperly served for this personal lawsuit. It is not court ordered restitution that was agreed to at the plea agreement.

FILED
Western District of Washington
at Seattle
AUG 24 2023

GINA ZADRA WALTON, CLERK
OF THE BANKRUPTCY COURT

I was served as a resident of Washington for a California lawsuit. They had no jurisdiction as I was out of state, plus I did not own any property or do business in the state. This should be disposed for that reason alone. Furthermore, I only have one criminal conviction in my 55 years of life. This was an anomaly to who I fell in love with. I was never physical with her, and she stayed engaged in communication through February 23rd in 2017. The final straw for her was when I accepted the position to move to Seattle for a job that paid well. She knew she could no longer control every part of my life. (exhibit A : A1) + A2

When I agreed to the settlement of the personal lawsuit, I was comfortable in a \$330,000 a year job. Danielle called my company a few times telling them about my past that ended up leading

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telling them about my past that ended up leading to my termination shortly after I signed the lawsuit agreement. In good faith, I paid the \$10,000 which I could afford at the time. My life has been majorly impacted from accepting a felony charge.

If anyone has ever had a felony conviction, your life changes dramatically. Highly desirable jobs are no longer a clear path to getting hired. Just this week my background ruled me out for a nice paying job in Seattle. This is the fourth high paying job where my background caused the job (exhibit B) offer to be rescinded prior to the start date. How many times do I need to be punished for a toxic relationship. I am not a criminal that she makes me out to be. See attached report from the domestic violence classes that I attended for one year. It provides clarity to the real me and my desire to change behavior. As I write this, I just eclipsed 10 months of being clean and sober.

I'm going to be real clear, I have no money! I have no retirement set aside, and in my current part time job I make \$14.10 an hour. I also have no savings so some days I fear waking up as I have to live chasing pennies to live the most humble and low cost life available. I recently moved to AZ to reduce the cost of living from Seattle. I do not have a nickel to give her, much less be burdened with torture trying to figure out what will happen long term. As they say, you cannot get blood out of a turnip.

Danielle has a history of making lots of money, but also using public resources to get her way. Her ex husband paid her \$30k per month for 11 years. When she assumed he was cheating, she has his car bugged to catch him. This is who she is.

When her daughter failed to make the Danville cheer team, she sued the school district and was able to get her daughter on the team! Facts

She recently sold her house for \$2.1m. If you look at Zillow report, she cleared close to \$1m profit (exhibit C) from this transaction.

She also had \$2m in her retirement savings when I last had current information. She shared her information quite frequently with me.

She is lonely and wrongfully served me from the get go! In addition, this started out a small claims for \$10k which she lost. It did not start out as restitution, not is it based on the outcome of the sentence. (exhibit D)

I have had zero contact with her since the plea bargain and never intend to nor do I wish any ill will towards her. (exhibit E) DV classes

To finalize my statement, this a personal lawsuit and not part of restitution ordered by the court. And I was served in Washington state, and law states you need to be served in the state boundary for them to enforce it legally. California does not have jurisdiction as a result.

(exhibit F)

Thanks!
Gina
[Signature]

jurisdiction and venue. where to file a case

Topics ▾

🇪🇸 Español

Jurisdiction

There are limits to the legal authority of each court to hear and decide a case. For a court to be able to decide a case, it has to have jurisdiction.

Before you file your lawsuit, you need to figure out which court has:

- Jurisdiction over the person (or business or organization) you want to sue, called "personal jurisdiction,"
- AND
- Jurisdiction over the legal issue or dispute you are suing about, called "subject-matter jurisdiction."

More than one court may have jurisdiction over a certain case.

Note: You cannot sue the federal government in state court. You can only sue the federal government or a federal agency in federal court.

Personal jurisdiction

The most common way to have personal jurisdiction over a person, a business or an organization is by suing where that person lives, or, for a business or organization, where they do business.

In general, all California superior courts have jurisdiction over a person that lives in California or can be found in California, and businesses or organizations that do business in California.

So, as long as you are suing someone who lives in California or a company or organization that does business here, the superior court has personal jurisdiction.

Subject-matter jurisdiction

There are three types of subject matter jurisdiction:

- General Jurisdiction, which means that a court has the ability to hear and decide a wide range of cases. Unless a law or constitutional provision denies them jurisdiction, courts of general jurisdiction can handle any kind of case. The California superior courts are general jurisdiction courts.
- Limited Jurisdiction, which means that a court has restrictions on the cases it can decide. Small claims court is a court of limited jurisdiction. It can only hear and decide cases that claim damages of \$10,000 or less. Limited civil courts can only hear and decide cases for up to \$25,000. While these are heard in California superior courts, the judge has to follow the jurisdictional limits in these cases.
- Exclusive Jurisdiction, which means that only a particular court can decide a case. For example, bankruptcy court is a court with exclusive subject matter jurisdiction. A person can only file a bankruptcy action in a federal bankruptcy court. State courts have no jurisdiction in bankruptcy cases.

The types of cases discussed in this website are almost all cases you can file in your superior court because it has subject matter jurisdiction.

Venue

While jurisdiction says in what state and what court you file your lawsuit, "venue" is the county where you file your action.

Usually, venue is in the county where:

- The person you are suing lives or does business (if you are suing a business or organization); or
- The dispute arose, like where an accident happened, or where a contract was entered into or broken.

EXHIBIT A

08/30/2019 Case Management Conference Statement Filed

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Linebarger Goggan Blair & Sampson, LLP

ATTORNEYS AT LAW
P.O. Box 910128
San Diego, CA 92191
1(844) 566-6558 Toll-Free

DECEMBER 08, 2022

50820870

ERIC THOMAS STAMNES
9039 GREENWOOD AVE N APT 513
SEATTLE WA 98103-3981

Agency ID: 50820870
1 Case(s) Totaling \$6,335.01

DEMAND FOR PAYMENT OF DELINQUENT COSTS, FEES, OR FINES

Dear ERIC THOMAS STAMNES:

Our law firm has been hired to represent the Superior Court of California, County of Contra Costa ("Court") to assist in the collection of past due cost(s), fee(s), and/or fine(s). As of the date of this letter, the accounts listed below have not been resolved. Please remit payment for the total amount listed below or contact our office to discuss payment arrangements. If you fail to respond to this notice to resolve this matter or fail to pay the amount due, additional remedies to collect the amount due may be pursued by the Court. California law authorizes the Court to take collection actions against you including, but not limited to, intercepting any California State tax refund owed to you, garnishing your wages, levying of your bank accounts or other assets, and/or recording a judgment lien on all real property owned by you.

Case Number	Amount Due	Description
781879-8	\$6,335.01	

Just called and amount is unchanged

Please return the coupon below, along with a check or money order in the amount of \$6,335.01, made payable to: "Contra Costa Superior Court." To pay by credit card, please call **1(844) 566-6558** or log on to <http://www.lgbswebpayments.com> and use **Client Code CACOCCCRIM** and **Online Payment Number 50820870**. You may disregard this notice if you have made payment within the last 10 days.

If you are now a debtor in bankruptcy, or if you have been discharged from the above debts through a bankruptcy proceeding, then within 30 days of receipt of this letter, please provide us at the address at the top of this letter, in writing, the case number and the name of the court in which your bankruptcy case was filed. If you are experiencing financial hardship, please contact our office(s) at **1(844) 566-6558** to determine if you qualify for an installment payment plan to resolve this obligation. You may petition the Court to consider your ability to pay for your traffic case. Please visit cc-courts.org/traffic for more information or to obtain a petition form.

If you disagree with our client's records, please notify our office immediately. **If you have questions regarding the outstanding balance, please contact our offices at 1(844) 566-6558.**

Office Phone-in Hours: Monday through Thursday, 5:00 a.m. to 7:00 p.m.; Friday, 5:00 a.m. to 6:00 p.m.; and Saturday, 8:00 a.m. to noon. (All times Pacific.)

PLEASE COMPLETE AND DETACH THE REPLY FORM BELOW AND RETURN IN THE ENVELOPE PROVIDED

Linebarger Goggan Blair & Sampson, LLP
PO BOX 659443
SAN ANTONIO TX 78265-9443



262

ERIC THOMAS STAMNES
9039 GREENWOOD AVE N APT 513
SEATTLE WA 98103-3981



Agency ID: 50820870
1 Case(s) Totaling \$6,335.01
Amount Due: \$6,335.01 as of DECEMBER 08, 2022
Amount Enclosed: _____

Payment should be in the form of a check, cashier's check, or money order made payable to: **Contra Costa Superior Court**. To pay by credit card, call **1(844) 566-6558** or scan the QR code to access the payment website. When you provide a check as payment, you authorize us to either use information from your check to make a one-time electronic fund transfer from your account or to process the payment as a check.

LGBS, LLP
CLIENT CODE: CACOCCCRIM
PO BOX 708900
SAN ANTONIO TX 78270-8900

Linebarger Goggan Blair & Sampson, LLP

ATTORNEYS AT LAW
P.O. Box 910128
San Diego, CA 92191
1(844) 566-6558 Toll-Free

DECEMBER 08, 2022

50820870

ERIC THOMAS STAMNES
9039 GREENWOOD AVE N APT 513
SEATTLE WA 98103-3981

Agencia ID: 50820870
1 Caso(s) que Suma(n) \$6,335.01

DEMANDA DE PAGO DE COSTOS, CUOTAS O MULTAS MOROSAS

Estimado ERIC THOMAS STAMNES:

Nuestro bufete de abogados ha sido contratado para representar al Tribunal Superior de California, condado de Contra Costa (Tribunal) para ayudar en el cobro de costos, cuotas y multas vencidos. Hasta la fecha de esta carta, las cuentas mostradas abajo no han sido cubiertas. Por favor envíe su pago por el monto total mostrado abajo o contacte a nuestra oficina para discutir un plan de pagos. Si usted no responde a esta notificación para resolver este asunto o si usted no paga la cantidad adeudada, el Tribunal podrá hacer uso de recursos jurídicos adicionales para el cobro de la cantidad pendiente de pago. La ley de California autoriza al Tribunal a realizar acciones de cobranza en su contra incluyendo, pero no limitado a, interceptar su devolución de impuestos estatales a su favor, embargar su salario, su cuenta bancaria u otros activos y registro de una resolución sobre toda propiedad acreditada a su nombre.

Número de Caso	Cantidad Adeudada	Descripción
181879-8	\$6,335.01	

Para realizar un pago, favor de devolver el cupón de abajo, junto con un cheque o giro bancario/postal por la cantidad de \$6,335.01, pagadero a **"Contra Costa Superior Court"**. Para pagar con tarjeta de crédito, llame al **1(844) 566-6558** o vaya a <http://www.lgbswebpayments.com> y use **Client Code CACOCCCRIM** y utilice **Online Payment Number 50820870**. Si usted realizó el pago en los últimos 10 días, haga caso omiso de esta notificación.

Si usted es un deudor en bancarrota o ha sido liberado de las deudas mostradas arriba por un proceso judicial de bancarrota, entonces por favor envíe por escrito a la dirección que se encuentra en la parte superior de esta carta, dentro de los 30 días de haber recibido esta notificación, el número de expediente y el nombre del tribunal en que se presentó el proceso de bancarrota. Si usted está atravesando dificultades económicas, favor de ponerse en contacto con nuestras oficinas al **1(844) 566-6558** para determinar si califica para un plan de pagos a plazos para liquidar esta obligación. Puede solicitar al Tribunal que considere su capacidad de pago de su caso de tránsito. Para obtener mayor información o para obtener un formato de solicitud, favor de ir a cc-courts.org/traffic.

Si está en desacuerdo con los registros de nuestro cliente, favor de notificar a nuestra oficina inmediatamente. Si tiene cualquier pregunta respecto al saldo pendiente por favor llame a nuestras oficinas al 1(844) 566-6558.

Horario de atención telefónica en nuestra oficina: lunes a jueves de 5:00 a.m. a 7:00 p.m., viernes de 5:00 a.m. a 6:00 p.m., y sábado de 8:00 a.m. al mediodía. (Hora del Pacífico).

RELLENE Y SEPRE EL FORMULARIO DE RESPUESTA Y ENVÍELO EN EL SOBRE ADJUNTO

Linebarger Goggan Blair & Sampson, LLP
PO BOX 659443
SAN ANTONIO TX 78265-9443



ERIC THOMAS STAMNES
9039 GREENWOOD AVE N APT 513
SEATTLE WA 98103-3981



Agencia ID: 50820870
1 Caso(s) que Suma(n) \$6,335.01
Monto Adeudado: \$6,335.01 al DECEMBER 08, 2022
Cantidad Incluida: _____

El pago deberá hacerse con cheque, cheque de caja, o giro bancario/postal pagadero a: **Contra Costa Superior Court**. Para pagar con tarjeta de crédito, llame al **1(844) 566-6558** o escanee el código QR para acceder al sitio de pago. Cuando usted proporciona un cheque de pago, nos autoriza a utilizar la información de su cheque para hacer una única transferencia electrónica de fondos de su cuenta o para procesar el pago como una transacción de un cheque.

LGBS, LLP
CLIENT CODE: CACOCCCRIM
PO BOX 708900
SAN ANTONIO TX 78270-8900

Aug 3, 2023

Eric Stamnes UP-072023-BJ4F7
9039 Greenwood Avenue North
Seattle, WA, 98103

Exhibit B

Dear Eric Stamnes:

We recently made you aware that as part of our employment (including, as applicable, independent contractor assignment) eligibility process, WaveDivision Holdings LLC (Company) obtains consumer reports (commonly referred to as "background reports"). These background reports assist us in evaluating individuals for employment or independent contractor assignment.

Pursuant to your authorization and for purposes of evaluating your eligibility for employment or independent contractor assignment, Company obtained a background report about you from HireRight, LLC (HireRight). We are enclosing a copy of the background report that HireRight prepared for Company. We are also enclosing a summary of your rights under the Fair Credit Reporting Act (FCRA).

Based on a review of the results of your background report and Company's eligibility criteria, we are notifying you that there is information in your background report that **may** result in Company deciding not to offer you (or, as applicable, retain your) employment or an independent contractor assignment. Please carefully review the results of your background report, and contact HireRight at <http://www.hireright.com/Consumers-Applicants.aspx> or at the telephone number or email address provided below if you believe that anything in your report is inaccurate or incomplete, in which case HireRight will investigate your dispute in accordance with the FCRA. We also ask that you let Company know directly if you believe that anything in your report is inaccurate or incomplete so that this can be taken into consideration, as appropriate, in connection with Company's eligibility determination.

To afford you an opportunity to review your background report and initiate a dispute investigation with HireRight regarding any information in the report (for example, if you believe any information in your report is inaccurate or incomplete), Company will not make a final decision on your employment or independent contractor assignment for at least five (5) business days from the date of this letter (unless a longer period is required by applicable law). If you do initiate a dispute with HireRight, please also let Company know promptly that you have initiated such a dispute and the specific information that you have disputed.

Thank you again for considering employment or an independent contractor assignment with Company. If you have questions about Company's employment or independent contractor assignment eligibility criteria, please contact us directly.

Sincerely,

WaveDivision Holdings LLC

Attached: Copy of Consumer Report; FCRA Summary of Rights

Name of Consumer Reporting Agency:

HireRight, LLC
Attn: Consumers Department
14002 E. 21st Street Suite 1200
Tulsa, OK 74134

Phone: 866-521-6995 * (Monday - Friday, 7am to 7pm Central Time)
Fax: (918) 664-5520 *
E-mail: customerservice@hireright.com

* If you are outside of North America, please visit <http://www.hireright.com/Contact-Us.aspx#> and click on the "Customer Service" tab for HireRight's toll-free phone and fax numbers for use from locations around the globe.



PRICE HISTORY

Date	Event	Price
7/1/2021	Pending sale	\$2,198,000 \$652/sqft

Source: bridgeMLS/CCAR/Bay East AOR #40954710

6/26/2021	Listed for sale	\$2,198,000 +22.1% \$652/sqft
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Source: bridgeMLS/CCAR/Bay East AOR #40954710

7/13/2017	Listing removed	\$1,800,000 \$534/sqft
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Source: J. Rockcliff Realtors Inc #40784475

6/7/2017	Listed for sale	\$1,800,000 +31.9% \$534/sqft
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Source: J. Rockcliff Realtors Inc #40784475

4/10/2003	Sold	\$1,365,000 +70.6% \$405/sqft
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Source: Public Record

\$833,000
Profit

Exhibit C



SHARED



(925) 608-1000

SUPERIOR COURT - MARTINEZ
725 COURT STREET, ROOM 103
MARTINEZ, CA 94553

MSC19-0083

DANIELLE BENNETT
2790 MOSSY OAK DRIVE
DANVILLE CA 94506

ERIC THOMAS STAMNES
7413 82ND ST NW
GIG HARBOR WA 98332-6735

SMALL CLAIMS JUDGMENT ENTERED ON 03/25/19

DEFENDANT(S) ERIC THOMAS STAMNES DOES NOT OWE ANY MONEY ON THE
PLAINTIFF'S CLAIM.

MARTINEZ

03/25/19

ns
N. STEWART

INFORMATION AFTER JUDGMENT

INFORMACION L

UES DEL FALLO DE LA CORTE

Your small claims case has been decided. The judgment or decision of the court appears on the front of this sheet. The court may have ordered one party to pay money to the other party. The person (or business) who won the case and who can collect the money is called the judgment creditor. The person (or business) who lost the case and who owes the money is called the judgment debtor. Enforcement of the judgment is postponed until the time for appeal ends or until the appeal is decided. This means that the judgment creditor cannot collect any money or take any action until this period is over. Generally, both parties may be represented by lawyers after judgment.

IF YOU LOST THE CASE ...

1. If you lost the case on your own claim and the court did not award you any money, the court's decision on your claim is FINAL. You may not appeal your own claim.
2. If you lost the case and the court ordered you to pay money, your money and property may be taken to pay the claim unless you do one of the following things:
 - a. **PAY THE JUDGMENT**
The law requires you to pay the amount of the judgment. You may pay the judgment creditor directly, or pay the judgment to the court for an additional fee. You may also ask the court to order monthly payments you can afford.

b. **VOLUNTARY PAYMENT**

Ask the judgment debtor to pay the money on your claim. If the judgment debtor was for possession of property, ask the judgment debtor to return the property to you. **THE COURT WILL COLLECT THE MONEY OR ENFORCE THE JUDGMENT FOR YOU.**

c. **STATEMENT OF ASSETS**

If the judgment debtor does not pay the money on your claim, the law requires the debtor to fill out a form called the *Judgment Debtor's Statement of Assets* (form SC-133). This form will tell you what property the judgment debtor has that

EXHIBIT D

SC-100**Plaintiff's Claim and ORDER
to Go to Small Claims Court****Notice to the person being sued:**

- You are the defendant if your name is listed in (2) on page 2 of this form. The person suing you is the plaintiff, listed in (1) on page 2.
- You and the plaintiff must go to court on the trial date listed below. If you do not go to court, you may lose the case.
- If you lose, the court can order that your wages, money, or property be taken to pay this claim.
- Bring witnesses, receipts, and any evidence you need to prove your case.
- Read this form and all pages attached to understand the claim against you and to protect your rights.

Aviso al Demandado:

- Usted es el Demandado si su nombre figura en (2) de la página 2 de este formulario. La persona que lo demanda es el Demandante, la que figura en (1) de la página 2.
- Usted y el Demandante tienen que presentarse en la corte en la fecha del juicio indicada a continuación. Si no se presenta, puede perder el caso.
- Si pierde el caso la corte podría ordenar que le quiten de su sueldo, dinero u otros bienes para pagar este reclamo.
- Lleve testigos, recibos y cualquier otra prueba que necesite para probar su caso.
- Lea este formulario y todas las páginas adjuntas para entender la demanda en su contra y para proteger sus derechos.

Order to Go to Court

The people in (1) and (2) must go to court: (Clerk fills out section below.)

Trial Date	Date	Time	Department	Name and address of court, if different from above
1.	03-21-19	1:30 pm	57	RM-102
2.				
3.				
Date: JAN 23 2019		Clerk, by L. DIAZ, Deputy		

Instructions for the person suing:

- You are the plaintiff. The person you are suing is the defendant.
- Before you fill out this form, read form SC-100-INFO, *Information for the Plaintiff*, to know your rights. Get SC-100-INFO at any courthouse or county law library, or go to www.courts.ca.gov/smallclaims/forms.
- Fill out pages 2 and 3 of this form. Then make copies of **all** pages of this form. (Make one copy for each party named in this case and an extra copy for yourself.) Take or mail the original and these copies to the court clerk's office and pay the filing fee. The clerk will write the date of your trial in the box above.
- You must have someone at least 18—not you or anyone else listed in this case—give each defendant a court-stamped copy of all five pages of this form and any pages this form tells you to attach. There are special rules for “serving,” or delivering, this form to public entities, associations, and some businesses. See forms SC-104, SC-104B, and SC-104C.
- **Go to court on your trial date listed above.** Bring witnesses, receipts, and any evidence you need to prove your case.

Clerk stamps date here when form is filed.

2019 JAN 23 AM 10:02

KATE BIEKER
CLERK OF THE SUPERIOR COURT
COUNTY OF CONTRA COSTA, CA

BY: L. DIAZ

Fill in court name and street address:

Superior Court of California, County of

**Superior Court of Contra Costa County
725 Court Street
Martinez, CA 94553**

Court fills in case number when form is filed.

Case Number MSC19-0083

Case Name:



Plaintiff (list names):

Case Number:

1 The plaintiff (the person, business, or public entity that is suing) is:

Name: Danielle Bennett Phone: (510) 400-6146

Street address: 2790 Mossy Oak Drive Danville CA 94506
Street City State Zip

Mailing address (if different): _____
Street City State Zip

If more than one plaintiff, list next plaintiff here:

Name: _____ Phone: _____

Street address: _____
Street City State Zip

Mailing address (if different): _____
Street City State Zip

- ☐ Check here if more than two plaintiffs and attach form SC-100A.
☐ Check here if either plaintiff listed above is doing business under a fictitious name. If so, attach form SC-103.
☐ Check here if any plaintiff is a "licensee" or "deferred deposit originator" (payday lender) under Financial Code sections 23000 et seq.

2 The defendant (the person, business, or public entity being sued) is:

Name: Eric Thomas Stammes Phone: 925-719-2597

Street address: 7413 82nd St. NW Gig Harbor WA 98332-6735
Street City State Zip

Mailing address (if different): _____
Street City State Zip

If the defendant is a corporation, limited liability company, or public entity, list the person or agent authorized for service of process here:

Name: _____ Job title, if known: _____

Address: _____
Street City State Zip

- ☐ Check here if your case is against more than one defendant, and attach form SC-100A.
☐ Check here if any defendant is on active military duty, and write his or her name here: _____

3 The plaintiff claims the defendant owes \$ 10,000.00 (Explain below):

a. Why does the defendant owe the plaintiff money?

The amount represents damages arising out of various torts including: Fraud injury and breach of verbal contract

When did this happen? (Date): Various dates

b. If no specific date, give the time period: Date started: 2/3/17 Through: 2/2017

c. How did you calculate the money owed to you? (Do not include court costs or fees for service.)

The costs for medical expenses, out of pocket losses, charges incurred as a result of unauthorized use of Refa, account and breach of verbal lease.

- ☐ Check here if you need more space. Attach one sheet of paper or form MC-031 and write "SC-100, Item 3" at the top.

Plaintiff (list names):

Case Number:

- ④ You must ask the defendant (in person, in writing, or by phone) to pay you before you sue. If your claim is for possession of property, you must ask the defendant to give you the property. Have you done this?
☐ Yes ☒ No If no, explain why not:
Defendant is not to be contacted or contact me pursuant to a restraining order and CPO against him.
- ⑤ Why are you filing your claim at this courthouse? That being said, Claimant requested payment for numerous items.
This courthouse covers the area (check the one that applies):
a. ☒ (1) Where the defendant lives or does business. (4) Where a contract (written or spoken) was made, signed, performed, or broken by the defendant or where the defendant lived or did business when the defendant made the contract.
(2) Where the plaintiff's property was damaged.
(3) Where the plaintiff was injured.
b. ☐ Where the buyer or lessee signed the contract, lives now, or lived when the contract was made, if this claim is about an offer or contract for personal, family, or household goods, services, or loans. (Code Civ. Proc., § 395(b).)
c. ☐ Where the buyer signed the contract, lives now, or lived when the contract was made, if this claim is about a retail installment contract (like a credit card). (Civ. Code, § 1812.10.)
d. ☐ Where the buyer signed the contract, lives now, or lived when the contract was made, or where the vehicle is permanently garaged, if this claim is about a vehicle finance sale. (Civ. Code, § 2984.4.)
e. ☐ Other (specify): _____
- ⑥ List the zip code of the place checked in ⑤ above (if you know): 94506
- ⑦ Is your claim about an attorney-client fee dispute? ☐ Yes ☒ No
If yes, and if you have had arbitration, fill out form SC-101, attach it to this form, and check here: ☐
- ⑧ Are you suing a public entity? ☐ Yes ☒ No
If yes, you must file a written claim with the entity first. ☐ A claim was filed on (date): _____
If the public entity denies your claim or does not answer within the time allowed by law, you can file this form.
- ⑨ Have you filed more than 12 other small claims within the last 12 months in California?
☐ Yes ☒ No If yes, the filing fee for this case will be higher.
- ⑩ Is your claim for more than \$2,500? ☒ Yes ☐ No
If yes, I have not filed, and understand that I cannot file, more than two small claims cases for more than \$2,500 in California during this calendar year. DB
- ⑪ I understand that by filing a claim in small claims court, I have no right to appeal this claim. DB

I declare, under penalty of perjury under California State law, that the information above and on any attachments to this form is true and correct.

Date: 1/22/19 Danielle Bennett
Plaintiff types or prints name here

Danielle Bennett
Plaintiff signs here

Date: _____
Second plaintiff types or prints name here

Second plaintiff signs here



Requests for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the trial. Contact the clerk's office for form MC-410, Request for Accommodations by Persons With Disabilities and Response. (Civ. Code, § 54.8.)



"Small claims court" is a special court where claims for \$10,000 or less are decided. Individuals, including "natural persons" and sole proprietors, may claim up to \$10,000. Corporations, partnerships, public entities, and other businesses are limited to claims of \$5,000. (See below for exceptions.)* The process is quick and cheap. The rules are simple and informal. You are the *defendant*—the person being sued. The person who is suing you is the *plaintiff*.

Do I need a lawyer? You may talk to a lawyer before or after the case. But you *may not* have a lawyer represent you in court (unless this is an appeal from a small claims case).

How do I get ready for court? You don't have to file any papers before your trial, unless you think this is the wrong court for your case. But bring to your trial any witnesses, receipts, and evidence that supports your case. And read "Be Prepared for Your Trial" at www.courts.ca.gov/smallclaims/prepare.

What if I need an accommodation? If you have a disability or are hearing impaired, fill out form MC-410, *Request for Accommodations*. Give the form to your court clerk or the ADA Access Coordinator.

What if I don't speak English well? Ask the court clerk as soon as possible if your court has a court-provided interpreter available and how to request one. A court-provided interpreter may not be available. Alternatively, you may bring an adult who is not a witness or an attorney to interpret for you or ask the court for a list of interpreters for hire.

Where can I get the court forms I need? Go to any courthouse or your county law library, or print forms at www.courts.ca.gov/smallclaims/forms.

What happens at the trial? The judge will listen to both sides. The judge may make a decision at your trial or mail the decision to you later.

What if I lose the case? If you lose, you may appeal. You'll have to pay a fee. (Plaintiffs cannot appeal their own claims.)

- If you were at the trial, file form SC-140, *Notice of Appeal*. You must file within 30 days after the clerk hands or mails you the judge's decision (judgment) on form SC-200 or form SC-130, *Notice of Entry of Judgment*.
- If you were *not* at the trial, fill out and file form SC-135, *Notice of Motion to Vacate Judgment and Declaration*, to ask the judge to cancel the judgment (decision). If the judge does not give you a new trial, you have 10 days to appeal the decision. File form SC-140.

For more information on appeals, see www.courts.ca.gov/smallclaims/appeals.

Do I have options?

Yes. If you are being sued, you can:

- **Settle your case before the trial.** If you and the plaintiff agree on how to settle the case, the plaintiff must file form CIV-110, *Request for Dismissal*, with the clerk. Ask the Small Claims Advisor for help.

- **Prove this is the wrong court.** Send a letter to the court *before* your trial explaining why you think this is the wrong court. Ask the court to dismiss the claim. You must serve (give) a copy of your letter (by mail or in person) to all parties. (Your letter to the court must say you have done so.)
- **Go to the trial and try to win your case.** Bring witnesses, receipts, and any evidence you need to prove your case. To have the court order a witness to go to the trial, fill out form SC-107 (*Small Claims Subpoena*) and have it served on the witness.
- **Sue the person who is suing you.** If you have a claim against the plaintiff, and the claim is appropriate for small claims court as described on this form, you may file *Defendant's Claim* (form SC-120) and bring the claim in this action. If your claim is for *more* than allowed in small claims court, you may still file it in small claims court if you give up the amount over the small claims value amount, or you may file a claim for the full value of the claim in the appropriate court. If your claim is for more than allowed in small claims court *and* relates to the same contract, transaction, matter, or event that is the subject of the plaintiff's claim, you may file your claim in the appropriate court and file a motion to transfer the plaintiff's claim to that court to resolve both matters together. You can see a description of the amounts allowed in the paragraph above titled "Small Claims Court."
- **Agree with the plaintiff's claim and pay the money.** Or, if you can't pay the money now, go to your trial and say you want to make payments.
- **Let the case "default."** If you don't settle and do not go to the trial (default), the judge may give the plaintiff what he or she is asking for plus court costs. If this happens, the plaintiff can legally take your money, wages, and property to pay the judgment.

What if I need more time?

You can change the trial date if:

- You cannot go to court on the scheduled date (you will have to pay a fee to postpone the trial), *or*
- You did not get served (receive this order to go to court) at least 15 days before the trial (or 20 days if you live outside the county), *or*
- You need more time to get an interpreter. One postponement is allowed, and you will not have to pay a fee to delay the trial.

Ask the Small Claims Clerk about the rules and fees for postponing a trial. Or fill out form SC-150 (or write a letter) and mail it to the court *and* to all other people listed on your court papers before the deadline. Enclose a check for your court fees, unless a fee waiver was granted.



Need help?

Your county's Small Claims Advisor can help for free.

Or go to www.courts.ca.gov/smallclaims/advisor.

* Exceptions: Different limits apply in an action against a defendant who is a guarantor. (See Code Civ. Proc., § 116.220(c).)



La "Corte de reclamos menores" es una corte especial donde se deciden casos por \$10,000 o menos. Los individuos, o sea las "personas físicas" y los propietarios por cuenta propia, pueden reclamar hasta \$10,000. Las corporaciones, asociaciones, entidades públicas y otras empresas solo pueden reclamar hasta \$5,000. (Vea abajo para las excepciones.)* El proceso es rápido y barato. Las reglas son sencillas e informales. Usted es el Demandado—la persona que se está demandando. La persona que lo está demandando es el Demandante.

¿Necesito un abogado? Puede hablar con un abogado antes o después del caso. Pero no puede tener a un abogado que lo represente ante la corte (a menos que se trate de una apelación de un caso de reclamos menores).

¿Cómo me preparo para ir a la corte? No tiene que presentar ningunos papeles antes del juicio, a menos que piense que ésta es la corte equivocada para su caso. Pero lleve al juicio cualquier testigos, recibos y pruebas que apoyan su caso. Y lea "Esté preparado para su juicio" en www.courts.ca.gov/reclamosmenores/preparesse.

¿Qué hago si necesito una adaptación? Si tiene una discapacidad o tiene impedimentos de audición, llene el formulario MC-410, Request for Accommodations. Entregue el formulario al secretario de la corte o al Coordinador de Acceso/ADA de su corte.

¿Qué pasa si no hablo bien inglés? Pregúntele al secretario de la corte lo más pronto posible si en el juzgado habrá un intérprete disponible y cómo solicitarlo. No siempre están disponibles los intérpretes de la corte. Otra opción es llevar a un adulto que pueda interpretar para usted siempre que esa persona no sea un testigo ni un abogado. O puede pedir a la corte una lista de intérpretes particulares disponibles para contratar.

¿Dónde puedo obtener los formularios de la corte que necesito? Vaya a cualquier edificio de la corte, la biblioteca legal de su condado, o imprima los formularios en www.courts.ca.gov/smallclaims/forms (página está en inglés).

¿Qué pasa en el juicio? El juez escuchará a ambas partes. El juez puede tomar su decisión durante la audiencia o enviársela por correo después.

¿Qué pasa si pierdo el caso? Si pierde, puede apelar. Tendrá que pagar una cuota. (El Demandante no puede apelar su propio reclamo.)

- Si estuvo presente en el juicio, llene el formulario SC-140, *Aviso de apelación* (Notice of Appeal). Tiene que presentarlo dentro de 30 días después de que el secretario le entregue o envíe la decisión (fallo) del juez en el formulario SC-200 o SC-130, *Aviso de publicación del fallo* (Notice of Entry of Judgment).
- Si no estuvo en el juicio, llene y presente el formulario SC-135, *Aviso de petición para anular el fallo y Declaración para pedirlo al juez que anule el fallo* (decisión). Si la corte no le otorga un nuevo juicio, tiene 10 días para apelar la decisión. Presente el formulario SC-140.

Para obtener más información sobre las apelaciones, vea www.courts.ca.gov/reclamosmenores/apelaciones.

¿Tengo otras opciones? Sí. Si lo están demandando, puede:

- Resolver su caso antes del juicio. Si usted y el Demandante se ponen de acuerdo en cómo resolver el caso, el Demandante tiene que presentar el formulario CIV-110, *Solicitud de desestimación* (Request for Dismissal) ante el secretario de la corte. Pídale al Asesor de Reclamos Menores que lo ayude.

- Probar que es la corte equivocada. Envíe una carta a la corte antes del juicio explicando por qué cree que es la corte equivocada. Pídale a la corte que despida el reclamo. Tiene que entregar (dar) una copia de su carta (por correo o en persona) a todas las partes. (Su carta a la corte tiene que decir que hizo la entrega.)
- Ir al juicio y tratar de ganar el caso. Lleve testigos, recibos y cualquier prueba que necesite para probar su caso. Si desea que la corte emita una orden de comparecencia para que los testigos vayan al juicio, llene el formulario SC-107, *Citatorio de reclamos menores* (Small Claims Subpoena) y entrégueselo legalmente al testigo.
- Demandar a la persona que lo demandó. Si tiene un reclamo contra el Demandante, y el reclamo se puede presentar en la corte de reclamos menores, tal como se describe en este formulario, puede presentar el formulario SC-120, *Reclamo del demandado* (Defendant's Claim) y presentarlo en este mismo caso. Si su reclamo excede el límite permitido en la corte de reclamos menores, puede igualmente presentarlo en la corte de reclamos menores si está dispuesto a limitar su reclamo al máximo permitido, o puede presentar un reclamo por el monto total en la corte apropiada. Si su reclamo excede el límite permitido en la corte de reclamos menores y está relacionado con el mismo contrato, transacción, asunto o acontecimiento que el reclamo del Demandante, puede presentar su reclamo en la corte apropiada y presentar una moción para transferir el reclamo del Demandante a dicha corte, para poder resolver los dos reclamos juntos. Puede ver una descripción de los montos permitidos en el párrafo anterior titulado "Corte de reclamos menores".
- Aceptar el reclamo del Demandante y pagar el dinero. O, si no puede pagar en ese momento, vaya al juicio y diga que quiere hacer los pagos.
- No ir al juicio y aceptar el fallo por falta de comparecencia. Si no llega a un acuerdo con el Demandante y no va al juicio (fallo por falta de comparecencia), el juez le puede otorgar al Demandante lo que está reclamando más los costos de la corte. En ese caso, el Demandante legalmente puede tomar su dinero, su sueldo o sus bienes para cobrar el fallo.

¿Qué hago si necesito más tiempo? Puede cambiar la fecha del juicio si:

- No puede ir a la corte en la fecha programada (tendrá que pagar una cuota para aplazar el juicio), o
- No le entregaron los documentos legalmente (no recibió la orden para ir a la corte) por lo menos 15 días antes del juicio (ó 20 días si vive fuera del condado), o
- Necesita más tiempo para conseguir intérprete. (Se permite un solo aplazamiento sin tener que pagar cuota para aplazar el juicio).

Pregúntele al secretario de reclamos menores sobre las reglas y las cuotas para aplazar un juicio. O llene el formulario SC-150 (o escriba una carta) y envíelo antes del plazo a la corte y a todas las otras personas que figuran en sus papeles de la corte. Adjunte un cheque para pagar los costos de la corte, a menos que le hayan dado una exención.



¿Necesita ayuda? El Asesor de Reclamos Menores de su condado le puede ayudar sin cargo

O visite www.courts.ca.gov/reclamosmenores/asesores.

* Excepciones: Existen diferentes límites en un reclamo contra un garante. (Vea el Código de Procedimiento Civil, sección 116.220 (c).)

Revised January 1, 2017

exhibit e

To: Tamez, Danielle	From: John Sanford, Jr.
Agency: Tacoma WA County Dept. of Probation	Agency: Saving Our Sons and Daughters
Client Name: Eric Stamnes	Phone# (925) 432-4200 Fax# (925) 432-4065
DKT: 05-181879-8	Date of Report: 5/19/2021

Status: ☒ Formal Probation ☐ Court Probation ☐ CFS/Family Court Report Type: Program Completion

Group day/time: Thurs @ 7 pm

Starting date: 4/2/2020

Approximate Completion Date: 5/19/2021

Attendance:

#Sessions Attended 52

#Sessions Missed 1 03/25/2021

☐ Excused ☒ Unexcused

Fees:

☒ Current ☐ Past Due

Amount per session \$ 30

Amount Past Due \$

☐ ATTENTION: See Page/s for details.

1. Compliance with all conditions of the program contract	<input type="checkbox"/> no	<input checked="" type="checkbox"/> yes			
2. Client is benefiting from this program	<input type="checkbox"/> no	<input checked="" type="checkbox"/> yes			
3. Client is currently at risk of termination (See Beliefs/Behavior Concerns and Action Plan Below)	<input checked="" type="checkbox"/> no	<input type="checkbox"/> yes			
4. Client is currently at risk for extension (see Beliefs/Behavior Concerns Action Plan Below)	<input checked="" type="checkbox"/> no	<input type="checkbox"/> yes			
Beliefs and Behavior Assessment	(1) Poor	(2) Marginal	(3) Adequate	(4) Good	(5) Excellent
1. Demonstrates awareness of using abusive behavior past and present.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Accepts responsibility and accountability for abusive behavior, including present and past offenses(s)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Behavior shows commitment to constructive personal change	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Participates appropriately in group sessions showing respect for facilitators, group members, probation officers, social workers, police and the Superior Court	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Demonstrates empathy for victims experience past and present offense	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Demonstrates awareness of the effects of violence on children and others	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Demonstrates constructive change in beliefs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8. Client is developing strategies to prevent reoccurrence of violent and abusive behavior	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Comments: Mr. Stamnes has successfully completed the program and as a result of all of his hard work, he will be awarded his certificate of completion. Mr. Stamnes was very tenacious with completing the program and completing all assignments as required. He also served as a role model to other students while in the program and demonstrated that he understood how to use his tools. Mr. Stamnes is officially completed and will be removed from the roll accordingly.					

John Sanford Jr.
Signature

May 19, 2021

Date

Jurisdiction and venue. Where to file a case

Topics ▾

🇪🇸 Español

Jurisdiction

There are limits to the legal authority of each court to hear and decide a case. For a court to be able to decide a case, it has to have jurisdiction.

Before you file your lawsuit, you need to figure out which court has:

- Jurisdiction over the person (or business or organization) you want to sue, called "personal jurisdiction,"
- AND
- Jurisdiction over the legal issue or dispute you are suing about, called "subject-matter jurisdiction."

More than one court may have jurisdiction over a certain case.

Note: You cannot sue the federal government in state court. You can only sue the federal government or a federal agency in federal court.

Personal jurisdiction

The most common way to have personal jurisdiction over a person, a business or an organization is by suing where that person lives, or, for a business or organization, where they do business.

In general, all California superior courts have jurisdiction over a person that lives in California or can be found in California, and businesses or organizations that do business in California.

So, as long as you are suing someone who lives in California or a company or organization that does business here, the superior court has personal jurisdiction.

Subject-matter jurisdiction

There are three types of subject matter jurisdiction:

- General Jurisdiction, which means that a court has the ability to hear and decide a wide range of cases. Unless a law or constitutional provision denies them jurisdiction, courts of general jurisdiction can handle any kind of case. The California superior courts are general jurisdiction courts.
- Limited Jurisdiction, which means that a court has restrictions on the cases it can decide. Small claims court is a court of limited jurisdiction. It can only hear and decide cases that claim damages of \$10,000 or less. Limited civil courts can only hear and decide cases for up to \$25,000. While these are heard in California superior courts, the judge has to follow the jurisdictional limits in these cases.
- Exclusive Jurisdiction, which means that only a particular court can decide a case. For example, bankruptcy court is a court with exclusive subject matter jurisdiction. A person can only file a bankruptcy action in a federal bankruptcy court. State courts have no jurisdiction in bankruptcy cases.

The types of cases discussed in this website are almost all cases you can file in your superior court because it has subject matter jurisdiction.

Venue

While jurisdiction says in what state and what court you file your lawsuit, "venue" is the county where you file your action.

Usually, venue is in the county where:

- The person you are suing lives or does business (if you are suing a business or organization); or
- The dispute arose, like where an accident happened, or where a contract was entered into or broken.

Exhibit